

REMARKS

The Examiner is thanked for the careful examination of the application, and the suggestions for amending the application. However, in view of the foregoing amendments and the remarks that follow, the Examiner is respectfully requested to allow the application.

35 USC 112:

In response to the rejections under 35 USC 112, the claim has been carefully reviewed and amended so as to comply with 35 USC 112. If the Examiner is of the opinion that additional issues exist with regard to 35 USC 112, the Examiner is encouraged to telephone the undersigned so that such issues may be promptly resolved. Otherwise, the Examiner is respectfully requested to withdraw the rejection.

Art Rejection:

Claim 1 has been rejected under 35 USC 103(a) as being allegedly unpatentable over U.S. Patent No. 2,249,504, hereinafter *Trydal*, in view of JP 1-133837, hereinafter *JP '837*.

Claim 1 recites that the handling member is for allowing *only* the uppermost sheet carried by the suction carrier to pass the handling member. The Examiner alleges that the “unnumbered vertical wall to the left of roller 13” in *Trydal* corresponds to the claimed “handling member”. However, there is no description in *Trydal* concerning the purpose or operation of the “unnumbered vertical wall to the left of roller 13”. There is also no description of that wall in U.S. Patent No.

1,963,694, which is referred to in *Trydal*. Accordingly, Applicants submit that it is not clear whether or not the “unnumbered vertical wall to the left of roller 13” is for allowing *only* the uppermost sheet carried by the suction carrier to pass the handling member.

Furthermore, the Examiner concedes that there is no disclosure in *Trydal* of a detector and a retractor, as defined in amended claim 1. To overcome this deficiency, the Examiner relies on *JP '837*, alleging that *JP '837* discloses that it is well known to provide a sheet feeder with a detecting means and a retracting mechanism for retracting a handling member while the detecting means is detecting the sheet passing through.

However, the Examiner's interpretation of *JP '837* is not correct. The purpose of *JP '837* is to enable an improperly fed sheet to be removed when trouble is detected. As stated in the abstract, the detector assumes there is trouble when the sensor “continues light or darkness for not less than the fixed time”. Thus, the detector is activated when the paper is stuck or otherwise jammed. At that time, the take out part is activated. In that sense, *JP '837* works in the opposite manner of the present invention. According to the present invention, the retracting mechanism retracts the handling member away from the sheet passing the handling member while the sheet is passing through. *JP '837* activates the take out part when the sheet is stuck or in trouble.

Accordingly, even if the alleged combination was proper, it would not result in the present invention. Applicants reserve the right to challenge the propriety of combining *Trydal* with *JP '837* at a later time, if necessary and appropriate.

To further define the protection to which Applicants are entitled, new claims 2 – 5 have been added. The new claims are patentable for substantially the same reasons set forth above with respect to claim 1.

The Examiner is thus respectfully requested to reconsider and withdraw the rejections. In the event that there are any questions concerning this response, or the application in general, the Examiner is encouraged to telephone the undersigned attorney.

Respectfully submitted,
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